

SCHIFFMAN, BERGER, ABRAHAM, KAUFMAN & RITTER

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

THREE UNIVERSITY PLAZA

MAILING ADDRESS: P. O. Box 568

HACKENSACK, NEW JERSEY 07602-0568

201-488-2600

GENE N. SCHIFFMAN

RICHARD G. BERGER

LORRAINE A. ABRAHAM

BARRY L. KAUFMAN*

ROBERT L. RITTER*

GUY M. ALLEN^c

PAUL N. AMBROSE, JR.*

DEANNE C. DEFUCCIO

JONATHAN M. REMSHAK^x

* (N.J. & N.Y. BARS)

^c (N.J., N.Y., FL. BARS)

^x (N.J., N.Y., MASS., D.C.)

TELECOPIER (201) 488-5059

WEB SITE: www.schiffmanberger.com

LOUIS A. SCHIFFMAN
(1930-1981)

NEW YORK OFFICE:

18 WEST 18TH STREET - 11TH FLOOR
NEW YORK, N.Y. 10011

(212) 929-5385

August 2, 2000

Writer's E-mail: rberger@sbakr.com

CERTIFIED MAIL R.R.R.

Matthew Fox, Remedial Project Manager
Emergency & Remedial Response Division
U.S. Environmental Protection Agency
290 Broadway, Floor 19
New York, New York 10007-1866

Ms. Kedari Reddy, Asst. Regional Counsel
Office of Region Counsel
U.S. Environmental Protection Agency
290 Broadway, Floor 17
New York, New York 10070-1866

RE: July 20, 2000 Request for Information Submitted to
Associated Auto Body & Trucks, Inc.
Our File No. 21492

Dear Mr. Fox & Ms. Reddy:

This letter will constitute the response of Associated Auto Body & Trucks, Inc. to the July 20, 2000 Request for Information Under 42 U.S.C. §9601 et seq. My client's Certification is annexed to this letter and certifies the information which is set forth in this letter.

843060001

Matthew Fox, Remedial Project Manager
Ms. Kedari Reddy, Asst. Regional Counsel

August 2, 2000
Page 2

Response to Request 1: It appears as though prior information has not been communicated with sufficient clarity, or has been misunderstood. Vehicles are steam cleaned in an outdoor yard over a catch basin which leads to the settling tank inside the building, which in turn, discharges to the municipal sewer system. Accordingly, it is not only hot water that goes into the catch basin and the settling tank, but also road dirt and grime that typically accumulates on vehicles. No foreign substances are introduced to clean the vehicles other than hot water in the form of steam, but the discharge includes the debris and dirt and grime that is cleaned off the vehicles by the steam and hot water.

Response to Request 1a: We wish to clarify that the paint booth is not related to the cleaning operation which is carried out in the rear courtyard behind the building described in our Response to 1, above. These are two (2) completely separate and distinct processes which are carried out in completely separate and distinct areas of the premises. Painting is done in a paint booth located inside the premises. It is believed that more than ninety-nine (99%) percent of all paint from the paint booth is trapped on paint arrester pads, which are utilized for that express purpose in the paint spray booth at the base of the exhaust stack. Excess paint is poured back into the paint can, which is returned to stock/inventory. Any small residue of paint left in the spray gun system is washed out with a small amount of paint thinner, which is sprayed onto the paint arrester pad and any residue is towed out with a rag. After the paint hardens on the pads, the pads and dried cleaning rags are removed and disposed of as solid waste in the garbage container. This paint booth system has been employed for approximately forty (40) to forty-five (45) years to the knowledge of the current management. The over spray which accumulates on the floor and walls is minimal. However, approximately once each calendar year Associated Auto Body & Truck, Inc. strips the accumulated paint off walls and floors and disposes of the harden chips as solid waste.

Response to Request 1b: Again, we wish to clarify that the road dirt which is washed off of vehicles using the steam cleaning equipment in the courtyard has nothing to do with painting operations. The road dirt which is washed off accumulates in the settling tank. The settling tank is cleaned out approximately once each month. The dirt is allowed to dry and is then disposed of as solid waste. The amount of road dirt that is accumulated each month would be enough to fill up approximately one-third (1/3) of a fifty-five (55) gallon drum. Solid wastes are disposed of by a private carting service together with other garbage and debris.

Matthew Fox, Remedial Project Manager
Ms. Kedari Reddy, Asst. Regional Counsel

August 2, 2000
Page 3

Response to Request 2: Only one (1) page of a report from Clinton Bogart was enclosed with the materials. Only one sentence on that page included any allegation concerning an alleged incident in which an alleged employee of Associated Auto Body & Trucks, Inc. was claimed to have been observed dumping paint into a storm sewer. Management does not admit or accept that hearsay statement. Frankly, management has no reason to believe that the statement is accurate. The observer apparently assumed some substance was paint. It would make no sense for Associated Auto Body & Trucks, Inc. to allow employees to throw away paint which is a necessary inventory item, which is consistently reused and is regularly saved. Apparently the unnamed observer assumed that a person observed was an employee of Associated Auto Body & Trucks, Inc. There is no indication of any basis for such an assumption. Apparently, the unnamed observer assumed that there was some sort of practice of wasting valuable paint by dumping it into a storm sewer. To management's personal knowledge, that has never been a practice at Associated Auto Body & Trucks, Inc. On the contrary, paint disposal is handled as set forth in Response 1a, above.

Response to Request 2a: Paint is not disposed of in the manner alleged, and there is no "disposal practice" of the nature alleged. No other hazardous substances and/or industrial wastes are disposed of in such a manner either.

Response to Request 2b: We do not believe that such an incident occurred. If it did occur, it would have been a rogue, unauthorized action committed by an isolated employee without the knowledge or consent of management, who would have immediately disciplined an employee for such irresponsible conduct. The single sentence in the single page of the report which was attached does not indicate on what date, or even during what year, the alleged observation was made. We are therefore unable to provide any response to this inquiry.

Response to Request 2c: We do not know any time frame during which the dumping incident alleged in the Clinton Bogart Report is alleged to have occurred, and we are therefore unable to provide the information which you seek concerning the employees of the company at any such point in time. It appears that the allegation was made sometime during the 1970s, between twenty (20) and thirty (30) years ago. If you can be more specific and provide the undersigned with the date or dates on which Clinton Bogart's representatives claimed that they made such an observation, we will endeavor to locate and provide you with information as per your request. Regina Belowsky is a shareholder and a member of management of Associated Auto Body & Trucks, Inc. She can be reached at the company's

SCHIFFMAN, BERGER, ABRAHAM, KAUFMAN & RITTER, P.C.

Matthew Fox, Remedial Project Manager
Ms. Kedari Reddy, Asst. Regional Counsel

August 2, 2000
Page 4


office at 405 Raymond Boulevard, Newark, New Jersey 07105. The telephone number at the company office is 973-589-9162. Ms. Belowsky has requested that any inquiries or contacts be directed to the undersigned, as our law firm is acting as counsel to Associated Auto Body & Trucks, Inc., its shareholders and its officers.

If you need any further clarification, or if you wish to provide us with the appropriate time frame of the alleged incident so that we can provide information requested in Part 2c, please contact the undersigned at your convenience.

Thank you.

Very truly yours,

SCHIFFMAN, BERGER, ABRAHAM,
KAUFMAN & RITTER, P.C.


RICHARD G. BERGER

RGB:ss

Encl.

CC: Mr. Jack Siegel, President

843060004

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of New Jersey :

County of Bergen :

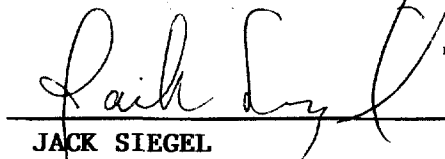
I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that I am under a continuing obligation to supplement my response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or my response thereto should become known or available to me.

JACK SIEGEL

NAME (print or type)

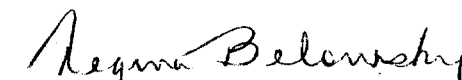
PRESIDENT

TITLE (print or type)



JACK SIEGEL
SIGNATURE

Sworn to before me this 7th
day of August, 2000



Notary Public
Regina Belowsky

REGINA BELOWSKY
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 5/10/2005

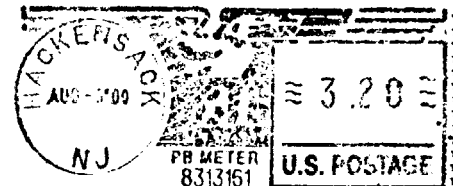
843060005

SCHIFFMAN, BERGER, ABRAHAM, KAUFMAN & RITTER

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
THREE UNIVERSITY PLAZA
P.O. Box 568
HACKENSACK, NEW JERSEY 07602-0568

FORWARDING & RETURN POSTAGE GUARANTEED
ADDRESS CORRECTION REQUESTED

21492



PS Form 3800, 4-95

CERTIFIED

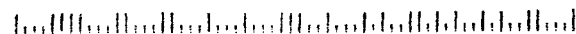
P 903 339 819

MAIL

RETURN RECEIPT REQUESTED

Matthew Fox, Remedial Project Manager
Emergency & Remedial Response Division
U.S. Environmental Protection Agency
290 Broadway, Floor 19
New York, New York 10007-1866

10007X1823 1A



843060006